

REMARKS/ARGUMENTS

Telephonic Communications/Interview/Discussion Summary

Applicants' representative and the Examiner exchanged telephonic communications on at least the following dates: 10/28/2008 and 10/29/2008.

If the Examiner believes that further information on the telephonic communications or discussions or interview(s) needs to be made of record to comply with the requirements of 37 CFR 1.133, Applicants request the Examiner to identify such further information.

Claims are amended for expediting prosecution

In this Amendment, Applicants have amended method claim 1. Applicants are not conceding that the subject matter encompassed by claim 1 or any other claims prior to this Amendment is not patentable for the reasons provided by the Examiner. Claim(s) were amended solely to facilitate expeditious prosecution of the pending claims. Applicant respectfully reserves the right to pursue previously presented claims, including the subject matter encompassed by claims prior to the current amendment and/or the original claims, and additional claims in one or more continuing applications.

Claim Rejections under 35 U.S.C. 103)(a)

The Examiner has rejected claims 1-8, 10-12 under 35 U.S.C. 103(a) as being unpatentable over Frazier (US 6,609,165) in view of FC-FS ("Fibre channel Framing and Signaling"). Applicants have amended independent claim 1 and traverse the rejections of the claims.

Amended Independent Claim 1

Amended independent claim 1, is a method, comprising:

 sending a PDISC Extended Link Service frame from a first device to a second device, wherein the first device is coupled to the second device via a fabric, and wherein the PDISC Extended Link Service frame is capable of determining a presence of the second device without disrupting I/O operations between the first device and the second device;

receiving the PDISC Extended Link Service frame at the second device, and determining whether an initiator with the same port address but a different World Wide Port Name (WWPN) or World Wide Node Name (WWNN) than the first device is in a logged in state to the second device;

logging out the first device, and responding to the PDISC Extended Link Service frame with a LOGO frame, in response to determining that an initiator with the same port address but a different WWPN or WWNN than the first device is in a logged in state to the second device;

determining, at the second device, whether the first device is considered to be logged in to the second device, in response to determining that an initiator with the same port address but a different WWPN or WWNN than the first device is not in a logged in state to the second device;

accepting, by the second device, the PDISC Extended Link Service Frame, and sending an LS_ACC frame indicating that the second device considers the first device to be logged in, wherein the LS_ACC frame includes the WWNN and WWPN of the second device, in response to determining that the first device is considered to be logged in to the second device;

sending, by the second device, an LS_RJT frame or a LOGO frame that includes an indication that the second device does not consider the first device to be logged in to the second device; and

determining, by the first device, whether to continue the I/O operations from the first device to the second device based on receiving a response to the PDISC Extended Link Service Frame within a time period.

The Examiner has rejected independent claim 1 under 35 U.S.C. 103(a) as being unpatentable over Frazier in view of FC-FS. device. Applicants have made extensive amendments to independent claim 1, wherein support for amended independent claim 1 may be found in at least original FIG. 4 and FIG. 5 of the Application and previously entered claim 1.

Applicants respectfully submit that while the cited FC-FS may discuss PDISC, LOGO, LS_ACC, LS_RJT, etc., as discussed by the Examiner in page 6 of the Final Office Action dated 7/2/2008 and partially reiterated in the advisory action dated 10/14/2008, the extensively amended claim 1 includes requirements of specific operations with the various frames and have additional requirements that are not taught or suggested by either the cited Frazier or the cited FC-FS either alone or in combination.

In view of the extensive amendments to the claims, should the Examiner continue to reject the claims, the Examiner is requested to indicate which section of the cited art teaches or suggests each and every element of the claim requirements.

For the above reasons, claim 1 is patentable over the cited art.

Dependent claims 2, 5, 7, 12

The Examiner has also rejected pending claims 2, 5, 7, 12 that depend on the pending independent claim 1. Applicants submit that these claims are patentable over the cited art because they depend from claim 1 which is patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2, 5, 7, 12 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

New Claims 37-38

The requirements of new claims 37-38 are supported by at least original FIG. 4 and FIG. 5 of the Application.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0449.

The attorney/agent of record invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

Dated: November 3, 2008

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Amdt. dated November 3, 2008 (Filed with RCE in
response to Advisory Action dated 10/14/2008).

Serial No. 10/719,404
Docket No. TUC920030147US1
Firm No. 0022.0065

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